



Attorney's Docket No.: 700981-3001
Application No.: 08/573,569

AMENDMENTS TO THE CLAIMS:

~~Amendments
dated 5/10/07
will be filed
on 12/24/07~~
This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS

1.-11. (Canceled).

1 12. (Previously Presented) A vaccine comprising a reassortant influenza A virion, the
~~Claim recited
by Examiner~~
virion comprising: a polynucleotide coding for the surface protein HA and a polynucleotide coding for the surface protein NA, each of HA and NA of a selected wild type influenza virus; a polynucleotide coding for PB1; a polynucleotide coding for PA and a polynucleotide coding for M, each PB1, PA and M of a selected cold-adapted influenza virus; and a polynucleotide coding for PB2 which comprises the sequence of SEQ ID NO 15; the polynucleotides being operatively linked to allow packaging of the reassorted polynucleotides into the virion.
12/24/07

13.-22. (Canceled).

2 23. (Previously Presented) The vaccine of Claim 12, wherein the polynucleotide coding for M is either of SEQ ID NOS 5 or 7; the polynucleotide coding for PB1 is SEQ ID NO 13; and the polynucleotide coding for PA is SEQ ID NO 11.

24.-28. (Canceled).

3 29. (Previously Presented) The vaccine of claim 12, wherein the polynucleotide coding for PB2 consists essentially of the sequence of SEQ ID NO 15 and further characterized as consisting of cytosine at nucleotide 1933.

4 30. (Previously Presented) The vaccine of claim 12, wherein the polynucleotide coding for PB2 consists essentially of the sequence of SEQ ID NO 15 and further characterized as consisting of guanine at nucleotides 141 and 821 and cytosine at nucleotide 1933.

5 31. (Previously Presented) The vaccine of claim 12, wherein the polynucleotide for PB2 consists of the sequence of SEQ ID NO 15.

8 32. (Currently Amended) A composition comprising the vaccine of any of Claims 26, 30,
31, or 34, 27, 34, 29, 30 or 31 and a pharmaceutically acceptable carrier.

6 33. (Previously Presented) A vaccine comprising a reassortant influenza A virion, the virion comprising: a polynucleotide coding for the surface protein HA and a polynucleotide coding for the surface protein NA, each of HA and NA of a selected wild type influenza virus; a polynucleotide coding for PB1; a polynucleotide coding for PA and a polynucleotide coding for M, each PB1, PA and M of a selected cold-adapted influenza virus; and a polynucleotide coding for PB2 wherein the polynucleotide has a cytosine at a nucleotide which corresponds to nucleotide 1933 of SEQ ID 15, the polynucleotides being operatively linked to allow packaging of the reassorted polynucleotides into the virion.

7 34. (Previously Presented) A vaccine of any of Claims 12, 26, 29, 30 or 31, further comprising a reassortant influenza B virion.

9 35. (Previously Presented) The composition of claim 32, wherein the composition is formulated for intranasal administration.